



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

March 15, 2010

VIA CERTIFIED MAIL

7002 0510 0002 7964 5475

Mr. J. Mitchell Oliver
Speedway SuperAmerica, LLC
500 Speedway Drive
Enon, Ohio 45323

Dear Mr. Oliver:

Re: NPDES General Permit No. ING080282
Speedway SuperAmerica- Speedway #5229
5223 South State Road 3
New Castle, Indiana 47362
Henry County

Our office has received your Notice of Intent (NOI) submittal in regards to the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements in 327 IAC 15-10, Wastewater Discharge Associated with Groundwater Petroleum Remediation Systems. The general permit rule requirements are contained in 327 IAC 15-1 through 15-4 and 15-10. These rules are enclosed for your review. Please review them carefully to ensure your facility is in compliance with all applicable regulations.

At this time, a NPDES general permit identification number is being assigned to each facility that has submitted a NOI letter to comply with 327 IAC 15-10. Due to the fact that 327 IAC 15-10 is a permit by rule, you will NOT be receiving an actual permit. The general permit number will be used as an identification number and should be included on all correspondence submitted to IDEM in relation to this NPDES general permit.

The NPDES general permit number which has been assigned to this facility is:

ING080282.

General permit rule 327 IAC 15-10 requires periodic reporting of several effluent parameters. Reporting is to be done using the enclosed state discharge monitoring report form. We have included enough forms to establish a supply several months of reporting. You should duplicate this form as needed for further reporting. This form is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>

Mr. J. Mitchell Oliver

Page 2

Additionally, you will soon be receiving a supply of the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317/232-8670.

Coverage for the facility under 327 IAC 15-10, which will include all outfalls listed on Attachment 1 to this correspondence, shall become effective on April 1, 2010, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under this general permit rule expires on March 31, 2015. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by this acceptance for coverage under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this acceptance for coverage with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

Please note that in accordance with 327 IAC 15-10-5(c), IDEM shall public notice its decision to accept your facility for coverage under the general permit rule.

If you have any questions regarding this letter, please contact Ms Sheri L. Jordan of our staff at 317/232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/

Enclosures

cc: Henry County Health Department

ATTACHMENT 1

Speedway SuperAmerica- Speedway #5229

NPDES PERMIT NO. ING080282

EFFECTIVE DATE: **April 1, 2010**

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
001	N/A	39°, 51', 20.44"	85°, 24', 37.48"	N/A	Unnamed tributary to Big Blue River

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2010 - 3D -GP

DATE OF NOTICE: March 15, 2010

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

NEW

SPEEDWAY SUPERAMERICA - SPEEDWAY #5229, Permit No. ING080282, HENRY COUNTY, New Castle, IN. This is a Groundwater Petroleum Remediation System that will discharge to an unnamed tributary, to a storm sewer to Big Blue River. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-10, Wastewater Discharge Associated with Groundwater Petroleum Remediation System. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC - North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



Indiana Department of Environmental Management
NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
327 IAC 15-10 Wastewater Discharge Associated with Ground Water Petroleum Remediation Systems

I. PURPOSE OF SUBMITTAL:

Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.

NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	INB080285 INB080282	

II. GENERAL INFORMATION

Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.

a. APPLICANT NAME (TO THE ATTENTION OF)			e. FACILITY SIC CODE		f. FACILITY COUNTY			
J. Mitchell Oliver			5541		Henry			
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
COMPANY NAME Speedway SuperAmerica, LLC			Latitude			Longitude		
STREET ADDRESS 500 Speedway Dr			Degree 39	Minute 51	Second 21.62	Degree 85	Minute 24	Second 39.05
CITY Enon	STATE OH	ZIP CODE 45323						
c. FACILITY NAME			i. FACILITY CENTER TOWNSHIP, RANGE, SECTION, QUARTER SECTION					
Speedway #5229			Township 16N	Range 10E	Section 9	Quartersection NE		
d. FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM iId					
STREET ADDRESS 500 Speedway Dr.			STREET ADDRESS 5223 South State Road 3					
CITY Enon	STATE OH	ZIP CODE 45323	CITY New Castle		STATE IN	ZIP CODE 47362		

III. CONTACT INFORMATION AUTHORIZED SIGNATORY

This section applies to the responsible corporate officer and/or alternate person who is Authorized to be responsible for all signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non applicable.

a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE		d. ALTERNATE PERSON TO ANSWER QUESTIONS	
J. Mitchell Oliver Manager, Corporate Environmental		<i>Jeff Keifer</i> IDEM - AR PAID	
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE		e. ALTERNATE PERSON'S TELEPHONE	
(937) 863-6515		937- 863- 6624	
c. APPLICANT EMAIL ADDRESS		f. ALTERNATE PERSON'S EMAIL ADDRESS	
jmoliver@ssallc.com		jgkeifer@ssallc.com	

IV. OTHER CONTACT INFORMATION

DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. COMPANY AND CONTACT PERSON NAME Speedway SuperAmerica, LLC Jeff Keifer	
a. <u>CONTACT TELEPHONE NUMBER</u> (937) 863-6624		d. <u>STREET ADDRESS</u> 500 Speedway Dr.	
b. <u>CONTACT EMAIL ADDRESS</u> jgkeifer@ssallc.com		e. <u>CITY</u> Enon	f. <u>STATE</u> OH
g. <u>ZIP</u> 45323			
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		j. COMPANY AND CONTACT PERSON NAME Speedway SuperAmerica, LLC Jeff Keifer	
h. <u>CONTACT TELEPHONE NUMBER</u> (937) 863-6624		k. <u>STREET ADDRESS</u> 500 Speedway Dr.	
i. <u>CONTACT EMAIL ADDRESS</u> jgkeifer@ssallc.com		l. <u>CITY</u> Enon	m. <u>STATE</u> OH
n. <u>ZIP</u> 45323			
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. COMPANY AND CONTACT PERSON NAME American Environmental Corporation Nicholas C. Welte, P.E.	
o. <u>CONTACT TELEPHONE NUMBER</u> (317) 871-4090 ext 212		r. <u>STREET ADDRESS</u> 8500 Georgetown Rd.	
p. <u>CONTACT EMAIL ADDRESS</u> nwelte@aecindy.com		s. <u>CITY</u> Indianapolis	t. <u>STATE</u> IN
u. <u>ZIP</u> 46286			

V. RULE QUALIFICATION:

The purpose of this rule is to establish discharge requirements for point source discharges of wastewater associated with ground water remediation systems. "Wastewater discharge associated with ground water remediation system" means the discharge from any conveyance which is used for collecting and conveying wastewater which is directly related to the ground water remediation system. Does the facility fall into this category? (please check one) YES XX NO

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets. The Speedway #5229 qualifies for discharge under 327 IAC 15-10 because the discharge is wastewater associated with a ground water remediation system. The Speedway #5229 (FID 5474, Incident#199707509) is completing corrective action under the direction/approval of IDEM – OLQ.

VI. OUTFALL INFORMATION:

Please fill out the following information for all outfalls. You may attach additional sheets if necessary.

[illegible]

VII. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-10 to discharge wastewater associated with ground water petroleum remediation systems. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
Office of Environmental Adjudication
Indiana Government Center - North
100 North Senate Avenue, Room 501
Indianapolis, Indiana 46204"

Please attach proof of publication of this statement from the newspaper to the application and submit both together.

VIII. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form is attached.

Please fill out this form in its entirety and submit it with the application.

IX. ANNUAL FEE:

A fee is required to be submitted with this application in accordance with IC 13-18-20-12. The fee is \$50 for the initial submittal (for a new permit) or for an application for renewal or modification.

Please list amount submitted \$ 50.00, attach to and submit with application.
Checks or money orders shall be made payable to IDEM.

X. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3 (g) (3) that the following statement shall be included in the application. The authorized representative (as defined by 327 IAC 15-4-3(g)(2) and identified in item IIIa above) makes the following certification by signed and dating this section of the application below:

"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

J. Mitchell Oliver
Manager, Corporate Environmental

(937) 863-6515

Name and official title (type or print)

Area Code and phone No.

Signature

Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**



Speedway SuperAmerica LLC

January 25, 2010

P.O. Box 1500
Springfield, OH 45501
Telephone 937-864-3000

Indiana Department of Environmental Management
Office of Water Quality, Permits Section
Mail Code 65-42PS
100 North Senate Ave.
Indianapolis, IN 46204-2251

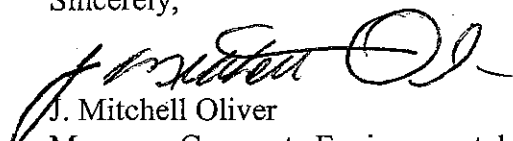
Re: NPDES Permit Application
NOI – Groundwater Petroleum Remediation System
Speedway #5229, 5223 South State Road 3, New Castle, IN
NPDES ING080205 (canceled)
IDEM Incident Number: 9707509
Facility ID Number: 5474

This NOI letter is being submitted to comply with 327 IAC 15-10, for Wastewater Discharge Associated with Groundwater Petroleum Remediation Systems. The Speedway facility complies with the applicability requirement of the general permit rule because it is a service station for dispensing gasoline for motor vehicles, and the facility's remediation system is designed to treat gasoline-contaminated groundwater.

Site Location Map:	See Attachment A
Location of Point Source Discharge:	See Attachment B
Proof of Publication:	See Attachment C
NOI Form:	See Attachment D
Potentially Affected Parties Form:	See Attachment E

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,


J. Mitchell Oliver
Manager, Corporate Environmental
Speedway SuperAmerica LLC

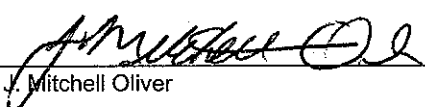
Attachments

Equal Opportunity Employer

2010 FEB - 9 PM 3:35
OFFICE OF
WATER QUALITY

2010 FEB - 9 PM 3:35
IDEM - OEA
RECEIVABLES

II. Please complete this form by signing the following statement.

I certify to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.		
Signature: 		
Printed name: J. Mitchell Oliver	Date: 1/29/2010	
Facility name: Speedway #5229		
Facility address: 5223 South State Road 3		
Facility city: New Castle	Facility state: IN	ZIP code: 47362

III. Type of Action (check one)

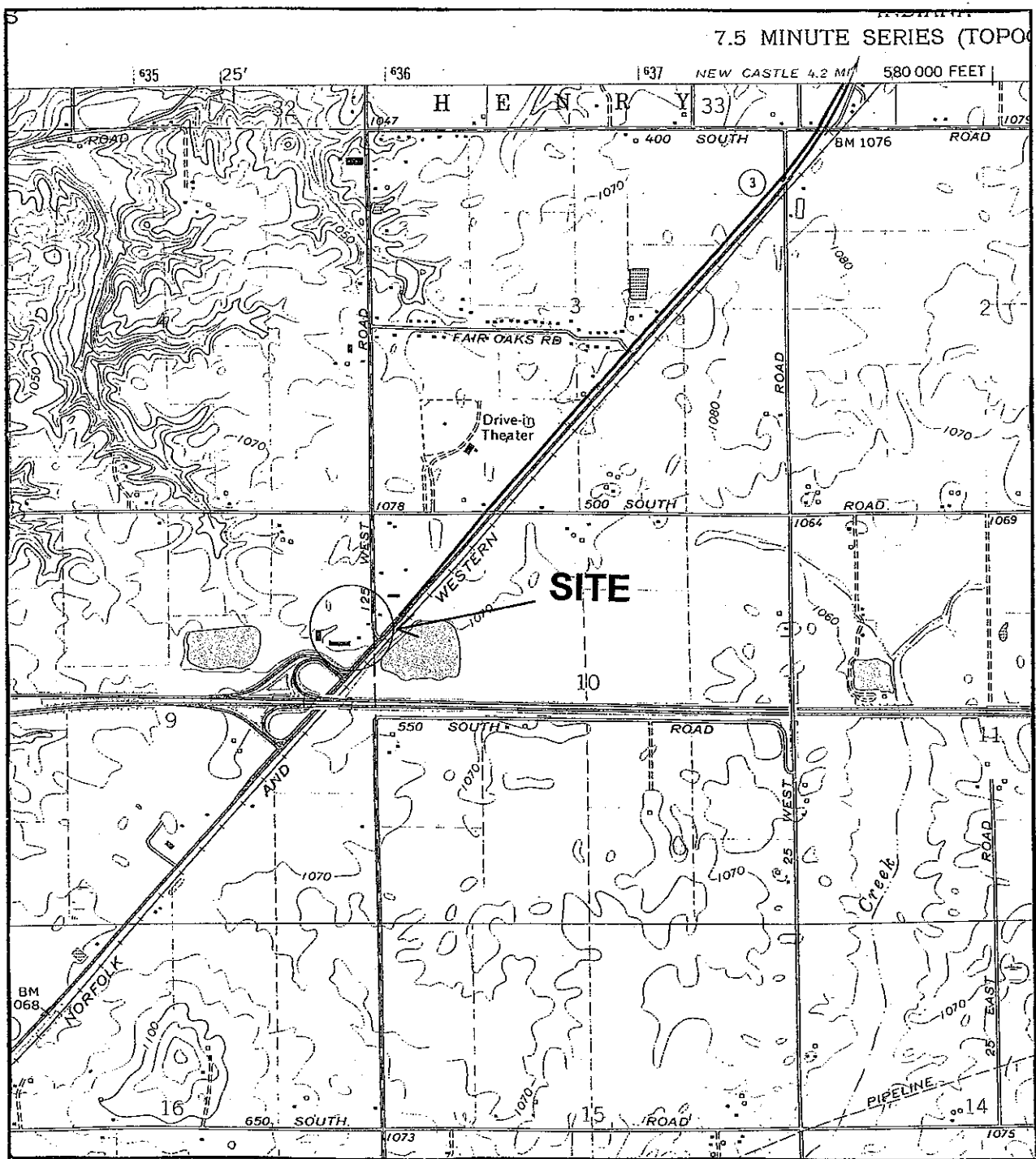
- ☒ NPDES Permit-327 IAC 5
☐ Pretreatment Permit -327 IAC 5
☐ Construction Permit-327 IAC 3

A \$50.00 fee is required for a New permit, a Renewal or a Modification; if this is a renewal or modification request, include NPDES permit No. on check and return to:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Cashiers Office – Mail Code 50-10C
100 North Senate Avenue
Indianapolis, IN 46204-2251

If No Fee Is Required (Fee has previously been paid), Return To:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Water Quality – Mail Code 65-42
Room N1255
Permits Branch
100 North Senate Avenue
Indianapolis, Indiana 46204-2251



U.S. Geological Survey Topographic Map -Dunreith Quadrangle, Indiana



American
Environmental

8500 Georgetown Road
Indianapolis, Indiana 46268
317 871-4090

VICINITY MAP

Speedway #5229
5223 South SR 3
New Castle, IN

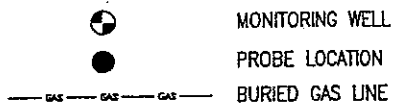
Project Number:
990569

Photo Revised:
1981

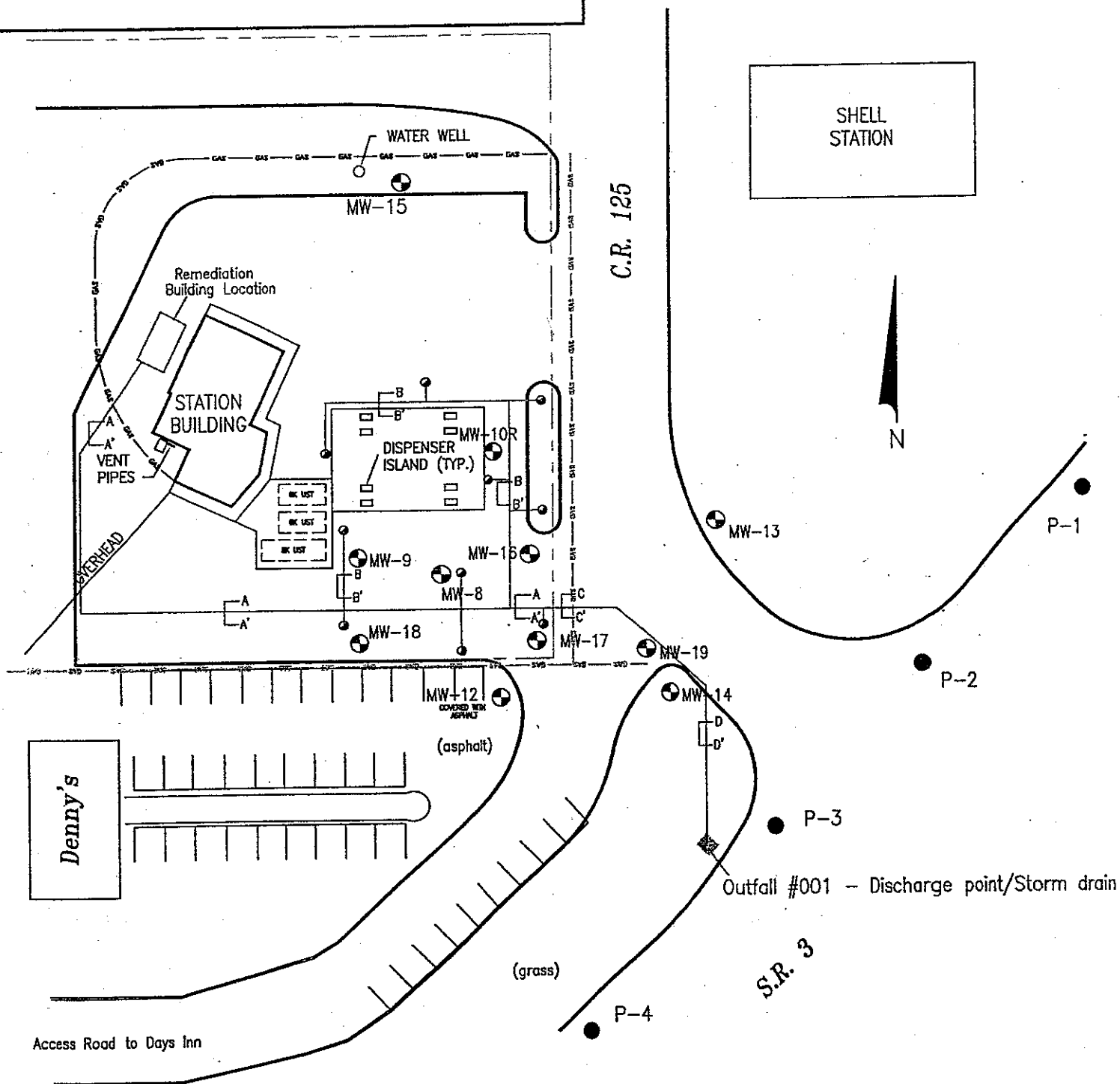
Scale:
1:24000

Figure:
1

LEGEND



50 0 50
Approximate Scale In Feet



American
Environmental

8500 Georgetown Road
Indianapolis, Indiana 46268
317 871-4090
317 871-4094 FAX

LOCATION OF POINT SOURCE DISCHARGE
SPEEDWAY STORE #5229

5223 SOUTH STATE ROAD 3
NEW CASTLE, INDIANA

Project No.
990569-1

Scale
AS SHOWN

Date
11/6/2003

Figure
1